

JUDGE BATT

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

DR. OLIVIA N. SERDAREVIC AND
BOSILJKA SERDAREVIC

v.

CENTEX HOMES, LLC

SUMMONS IN A CIVIL ACTION

CASE NUMBER:

08 CIV 55631

TO: (Name and address of Defendant)

Centex Homes, LLC
500 Craig Road
Manalapan, New Jersey 07726

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Marc S. Dreier, Esq.
Joel Chernov, Esq.
Brian Dunefsky, Esq.
Dreier LLP
499 Park Avenue
New York, New York 10022

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

(JUN 19 2008)

CLERK

DATE

(By) DEPUTY CLERK

COURT UNITED STATES DISTRICT COURT
COUNTY OF SOUTHERN DISTRICT OF NEW YORK
DR. OLIVIA N. SERDAREVIC AND BOSILJKA SERDAREVIC

CENTEX HOMES, LLC

against

Plaintiff(s)

Defendant(s)

Index No. 08 CIV 5563

AFFIDAVIT OF
SERVICE OF SUMMONS
(AND COMPLAINT)

IN A CIVIL ACTION, CIVIL COVER SHEET

STATE OF NEW YORK, COUNTY OF NEW YORK

party herein, is over 18 years of age and resides at OLD BRIDGE, NEW JERSEY
That on 6/20/08 at 11:03 AM., at 500 CRAIG ROAD, MANALAPAN, NEW JERSEY
deponent served the within summons, *and complaint on* IN A CIVIL CASE, CIVIL COVER SHEET

CENTEX HOMES, LLC

defendant therein named,

INDIVIDUAL by delivering a true copy of *each* to said defendant personally; deponent knew the person so served to be the person described as said defendant therein.

CORPORATION a LIMITED LIABILITY COMPANY "LLC" by delivering thereat a true copy of *each* to ANNMARIE MCVAY personally, deponent knew said "LLC" so served to be the "LLC" described in said summons as said defendant and knew said individual to be AUTHORIZED AGENT thereof.

SUITABLE AGE PERSON by delivering thereat a true copy of *each* to a person of suitable age and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.

AFFIXING TO DOOR, ETC. by affixing a true copy of *each* to the door of said premises, which is defendant's—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

MAILING TO
RESIDENCE
USE WITH 3 OR 4

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known residence, at and deposited

5A. said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

MAILING TO
BUSINESS
USE WITH 3 OR 4

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at defendant's actual place of business, at

5B. in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

DESCRIPTION
USE WITH
1. 2. OR 3

<input type="checkbox"/> Male	<input checked="" type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input checked="" type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input checked="" type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input checked="" type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input checked="" type="checkbox"/> 36-50 Yrs.	<input checked="" type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

USE IN
NYC CIVIL CT.

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY
SERVICE

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient *wore ordinary civilian clothes and no military uniform*. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on

6/24/08

JOHN DICANIO
Notary Public, State of New York
No. 01D14977768
Qualified in Westchester County
Commission Expires Feb. 11, 2011

PRINT NAME beneath signature

ANDREW BOTWINICK

License No.

